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JAN 10 2006

LEGAL DEPARTMENT
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

TO: Mr. Charles L.A. Terreni
Chief Clerk/Administrator
P.O. Drawer 11649
S.C. Public Service Commission
Ph:1 803 896 5713/5230; Fax 1803 8965231

FROM: NAME: BEATRICE WEAVER
ADDRESS: 1253 HARLLEES BRIDGE ROAD, DILLON S.C. 29536
PHONE #: 1 843 841 1606
TELEFAX #: 1 843 841 1606

SUBJECT: Progress Energy
File No: 2004-219-E

DATE: Jan. 10, 2006

No of Pages: 10 INCLUSIVE

Message:

1. Attached please find one telefaxed copy of Mrs. Weaver's Motion to Continue Hearing Date and attachments dated January 10, 2006. This is supplementary to the formal request filed with your Office on January 6, 2005, copy attached as Exhibit A to the motion.
2. Said Motion is timely filed.
3. Please distribute to interested parties as appropriate.
4. Please note that the Affidavit will be notarized this afternoon and promptly faxed and mailed to your Office today.

Thank you.

BEUW

*Please acknowledge promptly
the receipt. Thank you, BEUW*

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

January 6, 2006

In the Matter of	)	DOCKET NO. 2004-219-E
)	
Petition of Progress Energy Carolinas, Inc)	)	RESPONDENT BEATRICE
To Terminate Service	)	WEAVER'S MOTION TO
	)	CONTINUE DATE OF
	)	HEARING; EXTENSION
	)	OF TIME FOR FILING OF
	)	PLEADINGS; AFFIDAVIT
	)	OF BEATRICE WEAVER;
	)	EXHIBIT A; CERTIFICATE
	)	OF SERVICE
)	
)	

**RESPONDENT BEATRICE WEAVER'S MOTION TO CONTINUE DATE OF
HEARING AND FOR EXTENSION OF TIME FOR FILING PLEADINGS**

Comes now Respondent Pro Se Beatrice Weaver ("Respondent") and timely files this third **Motion to Continue Date of Hearing and for Extension of Time for Filing of Pleadings**. This motion is filed for good cause pursuant to rules and regulations of the Public Service Commission of South Carolina ("Commission") **R. 103-842** for extension of time for filing pleadings; **R.103-862** for continuance of Hearing Date; **R. 103-854** for Other Discovery; **Rule 6 (b),(d), and (e)** and **Rule 7** of the South Carolina Rules of Civil Procedure (SCRCP).

This motion is timely filed in response to the Commission's Notice of Hearing dated December 21, 2005 received by Respondent by telefax from the Commission on January 5, 2006. Said Notice refers to a Commission Order No. 2005-774 undated, a copy of which has not been received by Respondent as of this date. Said Notice states a Hearing date in this matter for January 12, 2006.

The specific grounds for this motion are medical (cancer) as previously documented and filed with the Commission; Respondent's unavoidable absence from the State for several months in January and February 2006, and as stated in Respondent's Memorandum to the Commission dated January 6, 2006 a copy of which is attached hereto as **Exhibit A** and by reference made part hereof. In particular the Notice of Hearing is too short, somewhat irregular, and possibly in violation of the regulations in any case.

Respondent respectfully submits to the Commission that under the circumstances that have unexpectedly developed these past several months, that this motion meets its test for continuance of the January 12, 2006 Hearing and discovery procedures under **"the most exigent circumstances"** as noted in its Order. (See, last line, page 1.)

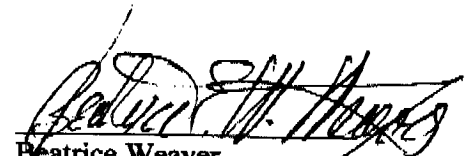
This motion is based on the grounds discussed above and in Respondent's pleadings filed previously with the Commission and referred to hereinabove, and the records and files of this matter. Respondent reserves the right to supplement said Affidavits and pleadings prior to the hearing or disposition of this motion.

Respondent respectfully repeats the request for an interim Order to Progress Energy to immediately connect electric power to her residence at 1253 Harllees Bridge Road, Dillon S.C. pending the results of action before this Commission and the 4th Circuit Court in Dillon County. Further, for the record, Respondent specifically denies any and all allegations submitted by the Petitioner's Mr. Len Anthony in his letter dated December 6, 2005 which are designed to deliberately mislead and obfuscate the issues and confuse the Commission as to the real facts.

For just cause and good reason, pursuant to the Commission's rules and regulations, and SCRCR Rules cited hereinabove, Respondent moves the Commission for an order continuing the Hearing and to set a date and time certain at least sixty (60) days following the end of January, 2006, until such time as Respondent will be physically able to complete discovery and attend the Hearing later this year of 2006, and commensurate extension of time for completion of discovery. As matters now stand it is medically and physically impossible for Respondent to be present on January 12, 2006 and continuance is in the interests of justice for Respondent.

Dated: Little Rock, Dillon County, S.C., January 6, 2006

Respectfully submitted.



Beatrice Weaver
Respondent Pro Se

Memo To: Mr. Charles L.A. Terreni
Chief Clerk/Administrator
S.C. Public Service Commission
P.O. Drawer 11649
Colombia S.C. 29211
Ph: 1803 896 5113; Fx: 1 803 896 5231

From: Beatrice Weaver
1253 Harllees Bridge Rd
Dillon S.C. 29536
Ph/Fax: 1 843 841 1606

Subject: Your telefax letter dated January 5, 2006;
Letter dated December 21, 2005 from Jocelyn G. Boyd;
Notice of Hearing dated December 21, 2006

Ref: Case No: 2004-219-E

Date: Friday, January 6, 2006 VIA TELEFAX AND US MAIL

Mr. Terreni:

At the request of Mrs. Weaver the following notice is hereby transmitted to your Office on her behalf.

Your Office is herewith given timely notice that Mrs. Weaver shall not be able to attend the Hearing that has been arbitrarily scheduled for January 12, 2006 for medical and other reasons which are on file with the Commission.

Accordingly, this notice constitutes a formal request to continue the subject Hearing now scheduled for January 12, 2006, pursuant to Mrs. Weaver's Motion to Continue dated October 10, 2005 filed with the Commission, and her letter dated December 21, 2006.

Further, this is to re-confirm that Mrs. Weaver wishes to attend the Hearing in person at a future date set in a timely manner, and mutually agreed upon by all parties concerned, including the scope and legal parameters of the Hearing Agenda pursuant to proper administrative procedures under the Regulations.

Please note that Mrs. Weaver has spent the entire month of December 2005 at Duke University Medical Center in Durham, N.C. Your Office has previously been apprised of this situation at considerable length. Further, your Office was previously duly

EXHIBIT A.

notified that she will be spending most of January 2006 at Duke University Medical Center in Durham, N.C. for various follow-up medical treatments and other medical appointments. Please refer to previous correspondence and pleadings that she has filed relating to this matter, dating from September 2005.

On or about December 20, 2005 Mrs. Weaver returned to Dillon S.C. for the Christmas season. Despite her illness she wrote you a letter dated December 21, 2005 (copy attached), in which she specifically requested (at para. # 2, line 3) that you do NOT take any action or set up any Hearings pending her submittal of her detailed rebuttals to Mr. Len Anthony's letter to you dated December 6, 2005. Contrary to that specific request you arbitrarily and without due prior notice and her acceptance of the date/time, scheduled the subject Hearing. See also her Motion to Continue dated October 10, 2005 wherein she requested continuance of this matter until after March 16, 2006 for medical reasons.

Mrs. Weaver's continued illness and stress from the prevailing cold in her residence during the Christmas/New Year holiday period unfortunately culminated in a minor myocardial infarction on January 4th, 2006. The outcome of this remains uncertain.

Your telefax correspondence yesterday, January 5, 2006 was the first time Mrs. Weaver learned of the scheduled Hearing for January 12, 2006. Your telefax prompted the delivery into her hands of the two sealed envelopes which contained the Notice of the Hearing and cover letters. Until then, she was completely unaware of any Hearing being scheduled. The two sealed letters dated December 21, 2006 concerning the Notice of Hearing, received on the eve of Christmas and requiring a response by January 2, 2006 a public holiday, were withheld from her because of her illness, and not delivered into her hands until yesterday late afternoon, after the receipt of your telefax.

The short notice of the Hearing date raises procedural questions as to service of process under the Commission regulations. For example, she has never received a copy of the Commission Order 2005-774 referred to in your Notice.

Further, Mrs. Weaver requested certain information in her previous correspondence, without which she cannot participate in a Hearing or file further pleadings. Your Office and/or Mr. Len Anthony have not yet responded to those requests

for information, and unless and until she receives same, she cannot participate in any Hearing, or prepare and file pleadings even if she were medically able to do so.

To reiterate, instead of respecting her requests to continue the case as cited, on December 21, 2005 the same day of her letter to your Office, you all rushed to arbitrarily schedule a Hearing for January 12, 2006. This appears to be highly irregular and **Mrs. Weaver advises your Office that she strongly objects to this action for both medical and procedural reasons.**

A further detailed response shall be prepared and filed with your Office as soon as her medical condition permits. Meanwhile please be so kind as to provide the following information by return telefax:

1. Copy of Commission Order No. 2005-774.
 - a. Please include the date and time of the Commission Meeting; the names of attendants; and full transcript of the Commission's proceedings respecting this matter.
 - b. In what manner did Mr. Len Anthony accept and agree to the date/time of the scheduled Hearing?
2. Copy of the pertinent Commission Rules and Regulations governing the service and processing of formal Notices and Appeals, and procedures for settings hearing dates.
3. Response to the requests contained in Mrs. Weaver's letters dated November 17, 2005 and December 21, 2005.

In conclusion, to clarify the situation, please note that the Estate Business Office where the telefax and other business equipment are located, is a separate large unit with its own entrance. Agents handling Estate Business during the Owner's absence, have no access to the Manor House and/or its private residence. As of late, important business matters are usually brought to Mrs. Weaver's attention when she is "up to it."

On behalf of Mrs. Weaver your understanding, cooperation and support in handling this matter is respectfully requested. Please provide copies of this Memorandum to all parties concerned.

Thank You.

Prepared by staff and Authorized by Mrs. Weaver: _____.

EXHIBIT A.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

January 9, 2006, 2004

In the Matter of)
)
)
Petition of Progress Energy Carolinas, Inc)
To Terminate Service)
)
)
)
)

DOCKET NO. 2004-219-E

**AFFIDAVIT OF BEATRICE
WEAVER;**

AFFIDAVIT OF BEATRICE WEAVER

County of Dillon)
State of South Carolina) SS.
_____)


BEATRICE WEAVER, being first duly sworn upon her oath, hereinafter
"Affiant", deposes and says as follows:

1. Affiant is a Respondent Pro Se in the above titled Petition. I have resided at 1253 Harlees Bridge Road, Dillon, S.C. 29536 since about January 1995. My mailing address is P.O. Box 539, Little Rock SC 29567. I am a retired Senior Citizen nearly 80 years of age, and in extremely poor health. These medical conditions are formally filed with the Commission in previous pleadings.
2. I make this affidavit in support of Respondent's Motion to Continue Hearing Date to which this is attached. I affirm that the statements submitted in said Motion are from

personal knowledge and belief of the facts of the case, and not for any improper purpose or to cause unnecessary delay in proceedings, or needless increase in the costs of this case. I am competent to make this deposition. I allege and aver that the facts as stated are true and correct.

3. Respondent affirms that on January 5, 2006 she received a telefax message from the Commission informing her that a hearing on this matter had been scheduled for January 12, 2006. This was the first that Respondent knew of the proposed Hearing date. This is too short a notice and Respondent is unable to be present for such a Hearing for this and other reasons explained in prior pleadings filed with the Commission. Respondent has not received a copy of the Commission's Order 2005-774 nor any information of the circumstances resulting in said Order.

Further, Affiant sayeth naught.


Beatrice Weaver, Affiant

Subscribed and sworn before me
this _____ day of January, 2006.

Notary Public, State of South Carolina

My Commission expires: _____

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

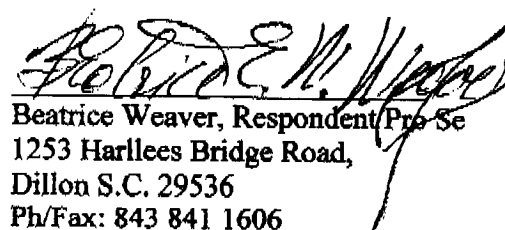
January 6, 2006

In the Matter of	)	CERTIFICATE OF SERVICE
)	
Petition of Progress Energy Carolinas, Inc))	
To Terminate Service)	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original copy of Respondent Pro Se Beatrice Weaver's Motion for Continuance of Date For Hearing and Extension of Time for Filing of Pleadings and Affidavit Of Beatrice Weaver Respondent Pro Se, dated January 6, 2006, will be or has been served upon the S.C. Public Service Commission, and copies to the Office of Regulatory Staff of South Carolina and the above-mentioned Petitioner at their respective addresses by means of telefax and U.S. Postal Service mail, on or before January 10, 2006.

DATED: Little Rock, Dillon County, South Carolina, January 6, 2006


Beatrice Weaver, Respondent Pro Se
1253 Harllees Bridge Road,
Dillon S.C. 29536
Ph/Fax: 843 841 1606